



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2303250
Applicant Name: Brittani Ard for Mary Ann Tracey
Address of Proposal: 6512 34th Ave NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into six unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses is being reviewed under separate Project #2300770.

The following approval is required:

Short Subdivision - To divide one parcel of land into six unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The proposal site is approximately 9,337 square feet and is located in a Multi-Family Residential Lowrise 2 zone (L-2) on 34th Ave NE between NE 65th Street and NE 68th Street. 34th Ave NE is

a two-lane paved street with curbs, gutters and sidewalks. There is an alley to the east of the subject site. The site is currently developed with a duplex structure with onsite parking and a detached garage structure. Site vegetation includes grass, trees and shrubs. There are no mapped or observed City of Seattle designated Environmentally Critical Areas (ECAs) on the site.

Area Development

Zoning and development in the vicinity is mixed between multi-family and single family in the Multi-Family Residential Lowrise 2 (L-2) zone immediately to the north and east of the property. To the west of the site and across 34th Ave NE is the Washington's Children's Home Society facility. Immediately to the south is zoned Neighborhood Commercial 1 (NC1-30). In combination, these areas are developed mainly with single family and multi-family structures with a few commercial structures along NE 65th Street.

Proposal Description

The applicant proposes to subdivide one parcel of land into six unit lots. Proposed unit lot sizes are: Unit Lot A) 1,439.8 square feet, Unit Lot B) 1,090.9 square feet, Unit Lot C) 1,420.9 square feet, Unit Lot D) 1,962.0 square feet, Unit Lot E) 1,486.5 square feet; and Unit Lot F) 1,936.3 square feet. DCLU Project Number 2300770 is to demolish the existing duplex and detached garage, establish use as townhouse, and construct (2) three-unit townhouses with attached garages is being reviewed at the time of this report. Access to parking for the six unit lots is proposed off of the alley.

Public Comments

The public comment period for the proposed project ended on June 18, 2003 and four comment letters were received addressing the following concerns:

- Request to become a party of record;
- The alleyway is heavily used and needs improvements to handle the additional traffic;
- Concern that drainage along the alley needs to be remedied;
- Retain the two tall trees located on the site;
- Parking restrictions at the alley entrance needed to prevent being blocked in/out; and
- Traffic on NE 65th Street is heavy due to the schools, synagogue and bus routes.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings, which follow, are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. *Conformance to the applicable Land Use Code provisions;*

The existing parent lot subject to this subdivision conforms to all development standards of the L-2 zone. The parent lot configuration provides adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements at the time of application.

2. *Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;*

Each of the proposed unit lots will have adequate access for vehicles, utilities and fire protection via a proposed utilities easement and vehicle access off of 34th Ave NE. The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated an easement is required. The easement identified in the Seattle City Light memorandum, dated August 5, 2003 and "Exhibit A to the City of Seattle Short Subdivision Number 2303250" shall be included on the final plat prior to recording.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Sanitary Sewer: The existing structure is connected by a multiple side sewer service serving the two properties with multiple units to the south, to an 8-inch public sanitary sewer (PSS) located in NE 65th Street. There is also a 12-inch public sanitary sewer located in 34th Ave NE. These mainlines were originally constructed as combined sewers and as such, there are likely to be downspouts and area drains still connected to what is now considered, for purposes of redevelopment, sanitary sewers. A new connection, or connections, to the 12-inch PSS in 34th Ave NE will be required.

Drainage: As noted above, this area has been separated with the construction of a separated 10-inch public storm drain (PSD) in NE 65th Street. This mainline discharges to a Designated Receiving Water. Plan review requirements are made in association with the building permit application. If the project includes greater than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 is required.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 03-0741 on August 14, 2003. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

There is no mapped or observed City of Seattle Environmentally Critical Areas on the proposal site.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final short subdivision: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate State statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. The Seattle City Light easement described in the Seattle City Light memorandum dated August 20, 2003 and "Exhibit A to City of Seattle Short Subdivision No. 2303967" shall be included on the final plat prior to recording.
3. Insert the following on the face of the plat: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*
4. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.

Signature: (signature on file) Date: October 2, 2003
Lisa Rutzick, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

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